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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 09/06/2011

To: Los Angeles

From: Los Angeles

WCC-3

Contact: SA [REDACTED]

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Approved By: [REDACTED]

Drafted By: [REDACTED]

Case ID #: 209E-LA-245399 (Pending) - 166
209E-LA-245399-GJ (Pending) - 26
/209E-LA-245399-CEDARS (Pending) - 2
209E-LA-245399-CEDARS-GJ (Pending) - 4

Title: NATIONAL ENQUIRER;
UCLA SANTA MONICA HOSPITAL;
ET AL
HCF-HIPAA

Synopsis: To remove writer as case agent and re-assign above captioned case.

Details: Due to the upcoming transfer of writer, request writer be removed as case agent and above captioned case and all remaining sub-files be re-assigned.

Above captioned case was opened on 08/04/2006 in response to a complaint filed by [REDACTED] filed with the Health and Human Services Office of Civil Rights.

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[REDACTED] alleged that the emergency room (ER) doctor and/or nurse who initially examined [REDACTED] released his protected health information for the news media and tabloids. Details of [REDACTED] medical condition and diagnosis were published in the "Star" magazine and attributed to a source. [REDACTED] alleged the source was the ER doctor and/or nurse.

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There was no further information regarding the identity of the physician or nurse at UCLA whom [REDACTED] believed improperly released [REDACTED] protected health information.

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MR 2/13/11
Re Assign to SA [REDACTED]

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209E-LA-245399-CEDARS-2

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Re: 209E-LA-245399, 09/06/2011

The victim's guardian was contacted through her attorney the improper release of protected health information was verified.

Interviews were conducted and documents and other medical records were subpoenaed. The investigation did not definitively reveal the source of the leak. However, it appeared that the leak may have been from a source other than the hospital such as the Department of Children and Family Services or the Los Angeles Sheriff's Department. Both agencies responded to a report filed by the hospital.

On 04/03/2008, the Los Angeles Times newspaper published an article alleging that a UCLA Hospital employee viewed the protected patient information of Farrah Fawcett without authorization and may have illegally disclosed that information to the media.

Interviews were conducted and documents, toll records and other information was obtained pursuant to subpoenas. Evidence showed that UCLA employee Lawanda Jackson was viewing the electronic medical records of numerous celebrity patients without authorization and selling the information contained in those records to a reporter, [REDACTED] at the National Enquirer.

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On 04/09/2008, Lawanda Jackson was indicted on one count of violating U.S.C. 42 Ss 1320d-6(a)(2), b(3), and one count of U.S.C. 18 Ss 2(b). She was convicted of those charges on 12/01/2008. However, Jackson died prior to sentencing.

While reviewing documents provided by UCLA, evidence was obtained to substantiate HIPAA privacy act violations by UCLA former hospital employees [REDACTED]

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Additional documents regarding possible HIPAA violations related to media outlets were received from Cedars-Sinai Medical Center. Sub-files were opened to maintain these documents. However, after review of the documents, the USAO declined to support further investigation and prosecution related to these allegations.

The USAO declined to prosecute [REDACTED]

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On 11/17/2008, [REDACTED] was charged with 4 counts of violating U.S.C. 42 Ss 1320d-6(a)(2), and 4 counts of U.S.C. 18 Ss 2(b). [REDACTED] was convicted of all charges on 01/08/2010 and sentenced to 4 months in jail on 04/27/2010.

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No further investigation is outstanding; however, the USAO is in negotiations with the National Enquirer media outlet regarding the HIPAA violations involving [REDACTED] and former UCLA employee Lawanda Jackson. The AUSA currently assigned to the case is:

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AUSA [REDACTED]
[REDACTED]

Recommend above captioned case be re-assigned pending a resolution with the National Enquirer.

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